

recollections.”<sup>697</sup> He said that when he testified before the Senate Committee, he relied on the McCain letter as opposed to his then two-and-a-half year old recollection of a conversation.

Babbitt said he had not read Eckstein’s Senate testimony or deposition, nor had he read any recent Wall Street Journal articles about the matter. He had not discussed the matter with Eckstein since the meeting; he did not recall any other conversations with Eckstein since their meeting.

## **7. Secretary Babbitt’s Grand Jury Testimony**

In his testimony before the Grand Jury, Babbitt conceded that certain sworn statements he had previously made either were not entirely accurate or at least constituted “overstatement.”<sup>698</sup> Most of the statements to which he was referring were made during his sworn testimony before the House Committee. For example, Babbitt acknowledged that his House Committee testimony that he told the tribes at the April 8, 1995, tribal dialogue “in some detail” that Interior would not “cram casinos down the throats of unwilling communities” was hyperbole or an overstatement of what he actually said at the tribal dialogue.<sup>699</sup> He conceded that he was “paraphrasing and

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<sup>697</sup>*Id.*

<sup>698</sup>*See e.g.,* Babbitt G.J. Test., June 30, 1999, at 133-35, 192.

<sup>699</sup>*Id.* at 133. While Babbitt did address off-reservation gaming – in the context of the Hudson application – during one portion of the tribal dialogue, his expressions of concern about off-reservation gaming were much weaker than he represented in the Senate, and were in fact undercut by his own later statements. Babbitt’s relevant statements at the tribal dialogue were as follows:

I think it is my job to make certain that as we consolidate and expanded [sic] gaming opportunities for those tribes who desire it, that I always be sensitive to the political implications . . . in the outside world. Because once again, there are plenty of people in Congress who would like to move to reject and even close  
(continued...)